

IN THE LABOUR COURT OF SOUTH AFRICA
HELD AT JOHANNESBURG

CASE NO: JS188/06

In the matter between

N

PANDELI

Applicant

and

THE Liquidator N.O. PALTEX 1995 (PTY) LTD

(in liquidation)

First Respondent

QUALITY DYERS & FABRICS

Second Respondent

PALTEX INTERNATIONAL LIMITED

Third Respondent

J U D G M E N T

NEL AJ:

- [1] This matter has had a rather tortuous road to where it is at present. What I am today dealing with is that one of the respondents in the main matter, namely Paltex International Limited IBCNO92208, has raised a point in *limine* to the effect that this court has not got jurisdiction over it. In addition, in the event of the court holding that it has jurisdiction, then Paltex International has applied for security for costs and it has also filed an exception to the applicant's statement of case. As can be seen, Paltex International is before me in many guises namely as the third respondent, as an applicant and as an excipient. For that reason I will throughout refer to the

third respondent simply as “Paltex International”.

- [2] The applicant in the main matter, N Pandeli, will likewise throughout simply be referred to as “Pandeli” because again, in terms of the plethora of applications and points in *limine* now before me, Mr Pandeli also finds himself being intermittently a first respondent and an applicant in the matter. For that reason I will throughout simply refer to him as Pandeli.
- [3] The other parties in the main application are The Liquidator, *nomine officii*, Paltex 1995 (Pty) Limited (in liquidation) as the first respondent and Quality Dyers and Fabrics as the second respondent. I will as far as the first respondent in the main application is concerned simply refer to it as “Paltex” and to the second respondent as “Quality Dyers and Fabrics” or “QDF”.
- [4] What is relevant herein for purposes of considering the question of whether this court has got jurisdiction is that I need to briefly record that, in the main matter, the applicant filed his statement of case in or about the end of March 2006. The response thereto by Quality Dyer and Fabrics and Paltex International is dated 12 April 2006. What is further relevant is that in the response filed on or about 12 April 2006, QDF and Paltex International raised in *limine* the point that they deny that this court has jurisdiction to hear the matter and proceeded to submit that neither of these parties ever employed the applicant. They contended that at all relevant times hereto Paltex employed the applicant.
- [5] Paltex International did raise the point further that it was not a party to any prior proceedings at the CCMA and that it had now been cited for the first time as a party to these proceedings. Accordingly it was

submitted that it was not competent for Pandeli to launch proceedings against Paltex International based on an alleged unfair dismissal without first referring any such dispute to the CCMA for conciliation. I was yesterday advised by Mr Brasso, who appeared before me on behalf of QDF and Paltex International that they no longer were persisting with this particular point of theirs.

- [6] The further in *limine* ground contained in the response, submitted on behalf of QDF and Paltex International, was that Pandeli's allegations regarding employment by QDF were both factually and legally incorrect.
- [7] Having under the heading "In *limine*" raised, as I have mentioned, essentially the proposition that neither QDF nor Paltex International had ever been the employer of Pandeli, the point in *limine* is concluded with the statement that "from the foregoing it is quite clear that no employment agreement was ever entered into between (Pandeli) and (QDF), or (Paltex International) for that matter and it is respectfully submitted that on these grounds alone, (Pandeli's) claim stands to be dismissed with costs by virtue thereof that the above honourable court lacks the necessary jurisdiction to adjudicate this dispute in respect of (QDF and Paltex International)". Nowhere under this heading of the in *limine* points raised did Paltex International raise the point that this court lacks jurisdiction by reason of the fact that it is a *peregrinus* in this court.
- [8] What then further happened is that on or about 4 September 2006, Paltex International filed an application on an urgent basis to the effect that, in the event of it being found in this matter that this court has jurisdiction, then in that event the application is to the effect that Pandeli be ordered to establish security for applicant's costs in this

matter in an amount which shall be determined by agreement between Pandeli and Paltex International, or failing such agreement, in an amount to be determined by the registrar of this court. Pandeli is opposing the aforementioned application for security for costs.

- [9] Then, on or about 22 September 2006, Paltex International filed a notice of exception. This notice is to the effect that, in the event of this court finding that it has jurisdiction over Paltex International, then it intended excepting to Pandeli's statement of case on the basis that it failed to disclose a cause of action and that it was otherwise bad in law for the reasons set out therein. It proceeded to indicate that Pandeli claimed reinstatement and compensation, alternatively compensation based on an alleged unfair dismissal, in his statement of case. It contended that the claim was based thereon that Pandeli alleged that he was employed by Paltex and that this employment was terminated by Paltex on 24 January 2004. Pandeli contended that his contract of employment was then transferred to QDF "together with the business as a going concern". Reference is made to the fact that Pandeli further pleaded that Paltex International is a shareholder of Paltex. It is further contended by Paltex International that without pleading that it had any connection whatsoever with Paltex, Pandeli makes the bold and unsubstantiated allegation that it was the directing mind and decision making power regarding QDF and Paltex. It is further contended that Pandeli's sole basis for his allegation that Paltex International is liable, is that "sufficient grounds exist for piercing of the corporate veil and holding second and third respondent's liable for applicant's dismissal" (third and second respondents being QDF and Paltex International and obviously the applicant being Pandeli). It is then alleged that

Pandeli pleaded no further grounds at all.

[10] Paltex International in its exception contended that in order to establish and sustain a cause of action in regard to it for an unfair dismissal, Pandeli must allege, and ultimately prove, that he was an employee of Paltex International, either directly or by way of a transfer of the contract of employment. It contends that Pandeli had failed to aver facts from which such legal liability could arise or to bind Paltex International and that none can be assumed. For these reasons, Paltex International contended that Pandeli's claim against it did not disclose any cause of action cognisable in law, which could sustain the relief sought against Paltex International.

[11] To put these two applications, that is the one on 4 September 2006, for security, and the one on 22 September 2006, being the exception, in time context, it is noted that the matter at that point in time had been set down for trial for 26 September 2006, and as I understood it, for four days commencing on that date. What in the meantime also occurred is that some ten days prior to the date of trial, Pandeli raised an issue relating to the deregistration of Paltex International, which it is common cause is a company registered in the British Virgin Islands. As I understood it, Pandeli alleged that Paltex International had become deregistered in the British Virgin Islands. Accordingly, because Paltex International could not by 26 September 2006 obtain sufficient information to rebut this allegation of Pandeli that it had been deregistered, it had to seek a postponement of the matter. That, as I understood Mr Brasso, was one of the grounds or reasons for Paltex International seeking a postponement of the trial on 26 September. There was, however, a second reason for the postponement. On the day the trial was to commence on 26 September 2006, a number of documents were

disclosed to Paltex International for the first time. The number of pages of documents so disclosed was approximately 130. It needs also to be mentioned that a pre-trial meeting had taken place on 21 June 2006 between the parties. The applicant had filed his index to documents to be used. As I understood it, what then happened was that legal representative of QDF and Paltex International had requested certain documents from Pandeli's lawyers, going by their numbers as reflected in the index it had filed. As a result of a communication error or a misunderstanding occurring in the offices of Pandeli's legal representative, only the pages bearing the index numbers were sent. This was brought to the attention of the applicant's legal representative and it was as a result thereof that the 130 odd pages of documents were only made available to the legal representatives of QDF and Paltex International the day the trial commenced. I will revert to this in a moment.

[12] The matter was in the event postponed but before I deal further with the chronology, it should be mentioned that I understand that Pandeli's legal representatives opposed the postponement and it was their view that the matter ought to have proceeded. What must be borne in mind is that on 26 September 2006, all the, what I will refer to as preliminary points, had already been raised. Therefore, the jurisdictional point, which was yesterday argued before me, was in a manner of speaking already ripe for argument or hearing on 26 September 2006. The application for security for costs had been filed on 4 September 2006, and on 22 September 2006, the exception had been filed.

[13] These are the matters which this court has to determine. What has in addition become controversial is the issue of the wasted costs

occasioned by the postponement on 26 September. I understand the situation to be that when the matter came up for hearing in December last year, I believe one of the legal representatives of QDF and Paltex International was ill and that caused the matter to be postponed to yesterday.

[14] As far as, in the first instance, the issue of jurisdiction is concerned, it was contended by Mr Brasso that it was common cause between the parties that Paltex International is a *peregrinus* of this court. The proposition that this court has not got jurisdiction is based on the fact that Paltex International is a company incorporated in the British Virgin Islands and as such, a *peregrinus* of this court. It was also contended that Pandeli, nor any other party, had not attached any property owned by Paltex International *ad fundandam ad confirmandam* to establish the jurisdiction of this court. Thirdly it was argued that Paltex International had not consented to the jurisdiction of this court.

[15] It was argued that Pandeli did not deny in his opposing affidavit that Paltex International was a *peregrinus*. He appears to have placed reliance on the fact that, at the date of him deposing to his affidavit, Paltex International was a deregistered company. I share Mr Brasso's confusion, indicated in his heads of argument, as to how that fact could assist Mr Pandeli in his proposition that this court has jurisdiction over a *peregrinus*. As I understand it, Pandeli further argued that this court has jurisdiction over Paltex International because of the fact that one Barraro owned the shares in that company. That would also appear to this court to be immaterial and certainly not a basis, which will vest jurisdiction on this court.

- [16] The next proposition made by and on behalf of Pandeli was to the effect that Paltex International had made an allegation in other proceedings that its principal place of business is in South Africa. In its replying affidavit, a Mr Goren explained that both he and a Mr Mackness were representatives of Paltex International in South Africa. As both were residents of South Africa, they misunderstood the legal significance of the distinction between themselves, in their capacities as agents of Paltex International, and Paltex International as a separate legal entity. They contended that what they were in these proceedings stating was that they were residents of South Africa and not that Paltex International had its principal place of business in South Africa. In this regard, I was advised that Paltex International is an investment company. It is further a fact that it is the sole shareholder of Paltex (in liquidation).
- [17] The other argument put forward on behalf of Pandeli was that because the *locus contractus* of the contract of employment between Pandeli and Paltex (in liquidation), the South African company, was governed by South African law, this court had jurisdiction over Paltex International.
- [18] As I have said, essentially the rebutting argument put forward on behalf of Paltex International was that no attachment to found jurisdiction had taken place and secondly, Paltex International had not consented to this court having jurisdiction.
- [19] Ms Anderson and Mr van Rensburg jointly argued the case on behalf of Pandeli. Mr van Rensburg raised the point that Paltex International, as an applicant party, had brought an application in the High Court. This application, I understood, had to do with

Pandeli having used documents which it was alleged were documents obtained in an investigation in terms of section 417 of the Company Act and in respect of which the acting master had given permission that the documents may be used by Pandeli. I understood that was the application in which Paltex International is an applicant party seeking to review, and I imagine, set aside the acting master's decision to allow Pandeli the right to use these documents. As I understood Mr van Rensburg's argument, it was to the effect that because Paltex International Limited had brought an application in the High Court to review and set aside the acting master's decision to allow Pandeli to use documents obtained in the section 417 Investigation, this court has jurisdiction over Paltex International.

[20] Mr Brasso indicated that he would make authorities available to this court and to his opponents which would have the effect of rebutting Mr van Rensburg's proposition that this court has jurisdiction by reason of the fact that the *peregrinus* party before it has brought an application in another court. I gained access this morning to the authorities Mr Brasso made available. I however do not believe that I need to decide this part of the matter based on the proposition made by Mr van Rensburg. He argued that this court has jurisdiction over Paltex International because it brought an application in the High Court in which it would appear the parties herein are cited, obviously together with the master. That application is not before this court, so it does not know exactly which parties are cited. As I said, I do not need to rely on that principle to arrive at my decision.

[21] It must be remembered that the contention by Mr Brasso is that there has been no attachment by Pandeli of any asset of Paltex International, nor has it consented to jurisdiction. Mr van Rensburg

in this regard, I gained the impression, intuitively, made a passionate plea to the court why this court had jurisdiction. I gained this impression because he certainly did not make his plea based on any reference to authority. The plea was to the effect that this court had jurisdiction over Paltex International because it had gone along all the way, that it had filed its replying statement, that it had attended the pre-trial conference and that the grounds on which it purported that this court did not have jurisdiction were only raised at a very late stage.

[22] As I have already indicated, Paltex International certainly did not raise the grounds why this court has not got jurisdiction in its replying statement of case. It is also apparent from the facts, which I have referred to, that in addition to Paltex International having filed its statement of case in reply, it attended a pre-trial conference. It was at a very late stage that it raised the present grounds why this court does not have jurisdiction. In a matter also dealing with jurisdiction, *New York Shipping CO (Pty) Ltd v E.M.M.I. Equipment (Pty) Ltd and Others*, 1968 (1) SA, a decision of the then South West Africa Division, the learned Muller J said the following at page 363B to E:

“On what basis then could this court be said to have jurisdiction over second, third, fifth, sixth and seventh defendants? Mr Oshry, on behalf of the plaintiff, contended that the Court had jurisdiction over the said defendants inasmuch as they had clearly submitted to the jurisdiction of the Court. In this regard he pointed out that they had filed affidavits opposing the claims for provisional sentence on the merits; that they together with the other defendants had negotiated several postponements of the hearing with plaintiff, that they even applied through counsel at the hearing for leave to file further affidavits on the merits, and that it was only at the hearing, and after

the application for leave to file their further affidavits had been heard and refused, that an objection concerning jurisdiction was made. No such objection was raised in their affidavits before the Court. If the doctrine of submission can at all apply in the instant cases, then there seems to be no question but that the defendants by their conduct tacitly consented to the jurisdiction of this Court and that this Court would be entitled to exercise jurisdiction over them. See Herbstein and van Winsen, *The Civil Practice of the Superior Courts in South Africa*, 2nd ed., pages 29-30; *Du Preez v Phillip-King*, 1963 (1) S.A. 801 (W); *William Spilhaus & Co. (M.B.) (Pty) Ltd v Marx*, 1963 (4) SA 994 (C)".

The learned judge then went on, having considered when a court will have jurisdiction, and he stated the following at page 365B:

"On the basis of the *continentia*-rule, coupled with the fact that the defendants concerned have all by tacit consent submitted to jurisdiction, I am of opinion that this Court has jurisdiction".

Muller J further said at page 365C to D:

"I therefore hold that this Court has jurisdiction in the present cases over all the defendants, and the belated objection to jurisdiction raised on behalf of the second, third, fifth, sixth and seventh defendants is overruled".

[23] The following is found in *The Civil Practice of the Supreme Court of*

South Africa, the 4th edition, page 69, where at (v), under the heading, Foreign Corporations, the following is stated by the learned authors:

“For present purposes, a “foreign corporation”, is a corporation that has been incorporated outside the Republic. In respect of such corporations, the principles upon which our courts will exercise jurisdiction are the following:

- aa) If a foreign corporation has its principal place of business within the area of jurisdiction of a provincial or local division, the court will probably have jurisdiction to entertain a claim for a judgment sounding in money without the need for an attachment. That the cause of action arose outside the area of jurisdiction will be irrelevant.
- bb) If a foreign corporation has its principal place of business outside the Republic but carries on business within the area of jurisdiction of a particular provincial or local division or elsewhere in the Republic, the court will have jurisdiction to entertain a claim against it, or a judgment sounding in money, if a cause of action arose within the area of jurisdiction.

I quote further from over the page at page 70:

“Such a corporation is “resident” within the meaning of Section 28(1) of Act 59 of 1959 at the place in the Republic where it carries on business. Attachment of a corporation’s property will therefore be unnecessary. Where the corporation does not carry on business within the Republic and the cause of action does not arise here, attachment to found jurisdiction will presumably confer jurisdiction. This can, however, be done only when the plaintiff is an *incola* in

the court's area".

[24] In the first instance I am of the view that by its conduct, namely the fact that Paltex International had filed what in this court could be regarded as a plea by way of its answering statement of case, and further that it has filed an application for security for costs and that it has participated in a pre-trial conference, constitute tacit consent to this court having jurisdiction. In addition, it has become clear, and I am of the view that Paltex International is in effect doing business in South Africa through the offices of its wholly owned subsidiary namely, Paltex, now in liquidation. I am further of the view that in addition, the contract of employment herein, although it does not exist between Pandeli and Paltex International, the cause of action did arise within the jurisdiction of this court, which obviously has a national jurisdiction and not one restricted to divisions, as does occur in respect of a High Court.

[25] It is apparent to me that the exception is to be upheld because of the fact that the allegations presently before this court are insufficient and they do not sustain a cause of action.

I have arrived at a picture which projects the following image: Paltex International has a wholly owned subsidiary through which it has for a period of time conducted its business in South Africa. It is apparent from the claim of some R28 million, which Paltex International had against Paltex, that Paltex International did as a matter of fact invest substantially in its wholly owned subsidiary company, Paltex. It is also, at least so it would appear, too much of a coincidence that at the time of Pandeli's wife successfully instituting action against Paltex, that there is, what appears to be, and I put it no higher than, a shifting or moving of assets from Paltex to QDF. Once that had been done, Paltex International

brought an application, so I understood it, for the liquidation of Paltex. At the moment, as I have already indicated, I am of the view that wholly insufficient facts have been placed before this court which, if proven, may enable this court to pierce the corporate veil, and in so doing, to possibly find that Paltex International or its shareholders are to be held liable for the debts or liabilities of Paltex (in liquidation).

[26] I do not need to entertain the issue as to whether there had occurred a transfer of the business of Paltex to QDF as a going concern. But the question is, having concluded that Paltex International had tacitly consented to this court's jurisdiction, is that enough in and by itself. The doctrine of effectiveness is well known. It is to the effect that a court will assume jurisdiction only in the event of it being able to give effect to such judgments as it may hand down. Under the present circumstances it is apparent to me, at least on the facts presently before the court, that Paltex International has got no direct assets in the country. I do not need to deal with or decide the question whether Paltex International, having had a shareholding in Paltex itself, and Paltex having had assets, which assets are presently, as a matter of law, held by the liquidator, whether that may in any way enable this court to give effect to its judgment in the event of it piercing the corporate veil and finding that Paltex International or its shareholders are to be held liable for the debts or the liabilities of Paltex. I am, however, in respect of the effectiveness of this court's judgments, of the view that in the modern world in which we live, in the event of this court handing down an order, holding Paltex International liable in any manner, and in the further event of there not being assets to be attached to satisfy such judgment, assuming that it will sound in money, that it would be possible for a litigant party to pursue such order as it has

been granted by this court, through international law channels and to have effect given to an order of this court through the jurisdiction of a foreign court.

[27] Under all these circumstances, and by reason of the fact that I am satisfied that there has been tacit consent by Paltex International Limited to the jurisdiction of this court, I find that this court has jurisdiction. That means that I need to proceed to deal with the further issues namely security for costs. As far as security for costs is concerned, I am of the view that Paltex International is entitled to be provided with security for its costs as determined between the parties or if they cannot agree, by the registrar of this court. That will obviously be on the basis, in light of my intended ruling on the exception, that Pandeli puts sufficient facts before this court to sustain a cause of action. That does not matter at this point in time. Pandeli has elected to join Paltex International as a party. Paltex International has certainly indicated, correctly so, that there are deficiencies in Pandeli's statement of claim, but the basis for seeking costs by a *peregrinus* is clearly that it is brought here, so to speak against its will, from a foreign jurisdiction. It is joined and it is in my view entitled to be provided with security for costs in the event of the applicant in the main application not being successful and an order for costs being granted against it.

[28] I have already indicated that the exception should also be upheld. I am of the view that the pleadings as they stand at the moment essentially attempt to found a claim against Paltex International by reason of the allegation that it or its shareholders or directors were the directing minds and decision making powers regarding the first and second respondents, that would be Paltex (in liquidation) and QD&F. Even that is not clear from the pleadings as they stand at

the moment. The inference to this effect appears to be sought to be drawn. That in and by itself is insufficient to found a cause of action, even coupled with the further broadest, vaguest allegation to the effect, and I quote, that “sufficient grounds exist for piercing of the corporate veil and holding (QDF) and (Paltex International) liable for applicant’s dismissal”. In this regard Mr van Rensburg contended before me that if Pandeli were to make or have to make all the allegations necessary to sustain his claim in respect of the piercing of the corporate veil it would fill this courtroom. I believe that may have been exaggerated, but to the extent that that may be necessary, well then he needs to fill this courtroom. But more importantly, it is patently clear to this court that Pandeli will have to state facts, which if found to have been proven, may enable a court to pierce the corporate veil and to hold Paltex International or its shareholders or directors liable for the liabilities of either Paltex or QDF. It is not good enough for a party to say that these facts are too numerous and that the documents are too voluminous. It is patently so that a party may not be ambushed. It is equally patently so that a party needs to know what the facts are and what the allegations are that it is supposed to meet. Likewise, pleadings in a case being represented by a party’s statement of case, even though this is a court of equity, whilst it need not have the precision as could be expected from pleadings in the High Court, it is clearly so that a party’s statement of claim must have sufficient particularity to make out a cause of action. Secondly, it has to be stated widely enough to enable a party not only to respond thereto but also to prepare for trial.

[29] In the final instance I need to deal with the aspect of costs and that would be first of all the issue the wasted costs of the postponement sought by Paltex International and QDF on 26 September 2006. It is apparent, based on the fact that at that point in time Paltex

International had filed its jurisdictional point to the effect that neither it, nor QDF, had been made out to be employers. That argument, as I have already indicated, was ripe for hearing. I do not believe the contention that because of Pandeli's allegation that Paltex International had become deregistered and because of the fact that the legal representatives of Paltex International had by 26 September 2006 not been able to obtain the information which they only now could place before this court, is in and by itself was sufficient cause not to have argued the matter on 26 September 2006. The reason for that is I believe quite clear. In this court, yesterday, Mr Brasso, correctly so, had argued that that proposition by Pandeli then did not constitute a defense to the argument by Paltex International that this court did not have jurisdiction. I am of the view that accordingly Paltex International could on 26 September 2006 have argued its jurisdictional point on the same grounds, which it did yesterday. It could in the alternative have argued that, in the event of the court accepting the allegation by Pandeli, then the matter would have had to be postponed. I am of the view that on both grounds Paltex International ought to have argued the jurisdictional point on 26 September 2006.

- [30] The further reason for the postponement, namely the documents which became available so late, clearly would have in and by itself been sufficient or may have been sufficient to see a cost order being attracted by Pandeli, but that would have been under circumstances if the matter was ripe for trial and the trial would have commenced on 26 September 2006. As it turned out, I must speculate as to the cause of action, but if one just takes the proceedings of this court in respect of the points in *limine* into consideration, most of the whole of yesterday was taken up by argument with the court then reserving its judgment for this morning. If this matter were to proceed

to trial now, which of course in light of the exception having been granted, it could not, likewise the same more or less may have occurred had the points in *limine* been argued on 26 September 2006. Assuming that the court at that time followed more or less the same course of action, and it gave its ruling the next day, it is clear that the matter would not have proceeded to trial. At that point in time the documents had become irrelevant. Obviously the documents could also have been studied in the meantime. It cannot be forgotten, as was suggested I believe by Ms Anderson, that these documents were all documents which were in the possession of one of the respondent parties. But that is really not relevant to the determination of costs. I am accordingly of the view that the indulgence sought of a postponement, whilst Paltex International was entitled to seek it, it could not do so without tendering costs. In the absence of having tendered costs, I am of the view that costs ought to be awarded against the second and third respondents in the main application. That would then be the wasted costs for the day, being 26 September 2006, having been occasioned by the postponement sought by and on behalf of the second and third respondents in the main application.

- [31] Turning to the costs of the jurisdictional point in *limine* as well as the further points, namely the security for costs and the exception. I do believe that the major part of yesterday's argument was taken up by the jurisdictional point raised by Paltex International. I believe that as far as this court's ruling that it has jurisdiction is concerned, it forming the major part of the ruling, Paltex International accordingly has been successful to a very limited extent. It has been able only to satisfy this court that it has to order Pandeli to provide security for Paltex International's costs and that its exception has been upheld. I do believe that accordingly the order that I should grant relating to costs should be that Paltex International is liable for 85 percent of

Pandeli's costs.

[32] The order I grant herein is the following:

- 1) It is ruled that this court has jurisdiction in respect of the third respondent;
- 2) The applicant is ordered to establish security for the third respondent's costs in this matter, in an amount which shall be determined by agreement between the applicant and the third respondent or failing agreement be determined by the registrar of this court;
- 3) The third respondent's exception is upheld and the applicant's claim against the third respondent is set aside. The applicant may within 20 days of the date of this order file a fresh statement of claim against the third respondent, failing which his claim against the third respondent will be dismissed;
- 4) The second and third respondents are ordered to pay the applicant's wasted costs occasioned by the postponement of the matter on 26 September 2006 and the third respondent is ordered to pay 85 percent of the applicant's costs of the application heard on 19 March 2007.

DEON NEL
ACTING JUDGE OF THE LABOUR COURT

Date of Hearing and Judgment: 20 Maart 2007

Appearances:

For the Applicant: Ms Riki Anderson of Riki Anderson Attorneys

For the Respondent: Adv. R. Brusser instructed by Mr. R. Ward of Delport,
Ward & Pienaar